

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TOSHIBA AMERICA BUSINESS
SOLUTIONS, INC.,

Plaintiff,

v.

TRI-STATE BUSINESS MACHINES, INC.,

Defendant.

ORDER

08-cv-297-bbc

In this civil action for declaratory, injunctive and monetary relief, plaintiff Toshiba America Business Solutions, Inc. has filed suit seeking a declaration that it may appoint a new dealer in a sales territory assigned to defendant Tri-State Business Machines, Inc. and assign the local service of a national account to that dealer. Defendant has filed counterclaims alleging violations of the Wisconsin Fair Dealership Law and several contract-related state law violations including breach of implied duty of good faith and fair dealing. Defendant filed a motion for a preliminary injunction, the parties briefed the issue, and on July 16, 2008, the court held an evidentiary hearing on the issue. For the reasons I stated to the parties from the bench after the hearing, defendant's motion for a preliminary

injunction (dkt. #7) is DENIED.

Entered this 17th day of July, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge